



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

January 28, 2022

The Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Cliver Antonio Alcala Cordones*, S2 11 Cr. 205 (AKH)

Dear Judge Hellerstein:

As the Court is aware, the Government's anticipated Classified Information Procedures Act ("CIPA") submission in this matter was originally due on December 1, 2021. On November 18, 2021, the Government requested an adjournment of that deadline, on consent of the defendant, until February 1, 2022, which the Court granted. Dkt. 56.

Yesterday, we were directed by relevant components of the Department of Justice to seek an additional adjournment of one week, until February 8, 2022, in order to finalize the declarations from relevant heads of agencies that are a necessary component of the filing. *See United States v. Aref*, 533 F.3d 72, 80 (2d Cir. 2008) (specifying that the state secrets privilege must be "lodged by the head of the department which has control over the matter, after actual personal consideration by that officer" (internal citation and quotation omitted)). The defendant does not object to this request and the parties jointly request a corresponding adjournment of the deadline for the defense's response to that submission. No trial date has been set in this matter, and the Government

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respectfully submits that the requested adjournment will not otherwise interfere with the scheduling for this case.

Respectfully submitted,

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